

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF  
PENNSYLVANIA

In re:	)	
VICTOR MICHAEL MATICHKO, JR., and	)	
MARYSSA ANNE MATICHKO,	)	No. 18-24578
Debtors,	)	
	)	Chapter 13
_____	)	
	)	Doc. No.
RONDA J. WINNECOUR, TRUSTEE,	)	
Movants,	)	Related to Doc. No. 91 & 100
	)	
vs.	)	
	)	
VICTOR MICHAEL MATICHKO, JR., and	)	
MARYSSA ANNE MATICHKO,	)	
Respondents.	)	

**STIPULATED ORDER MODIFYING PLAN**

**WHEREAS**, this matter is being presented to the Court regarding

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:***

- ☒ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: \_\_\_\_\_
- ☐ a motion to lift stay  
as to creditor \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

**WHEREAS**, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

**IT IS HEREBY ORDERED** that the

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☐ Chapter 13 Plan dated \_\_\_\_\_
- ☒ Amended Chapter 13 Plan dated ***October 7, 2020***,

is modified as follows:

[04/22]

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Debtors' Plan payments shall be changed from **\$1,896.00** to **\$2,150.00** per month, effective **October, 2022**.
- ☐ In the event that Debtors fail to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtors and Debtors' Counsel a notice of default advising the Debtors that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtors fails to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve \_\_\_\_\_ on or before \_\_\_\_\_.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as \_\_\_\_\_  
\_\_\_\_\_ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other:
- (1) ***Flagstar Bank FSB Claim # 28 governs with all payment change notices implemented.***
  - (2) ***The Trustee's Certificate of Default filed August 8, 2022, at document number 91 is resolved by this Order.***

**IT IS FURTHER ORDERED** that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

**IT IS FURTHER ORDERED** that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

**SO ORDERED**, this \_\_\_\_ day of September, 2022

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States Bankruptcy Judge

Stipulated by:

Stipulated by:

/s/ Matthew R. Schimizzi  
Matthew R. Schimizzi, Esquire

/s/ James Warmbrodt  
James Warmbrodt, Esquire  
*Via email September 21, 2022*

cc: All Parties in Interest to be served by Clerk